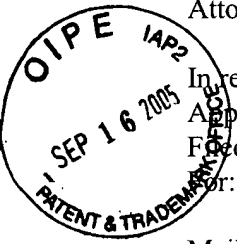


09-19-05

1FW



Attorney Docket No. 5051-338CTDV

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Mark Conkling et al.

Confirmation No.: 9424

Application No.: 10/748,789

Group Art Unit: 1638

Filed: December 30, 2003

Examiner: Russell Kallis

For: Regulation Of Quinolate Phosphoribosyl Transferase Expression

Date: September 16, 2005

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT  
PURSUANT TO 37 C.F.R. § 1.97(b)**

Sir:

Attached is a list of documents on Form PTO-1449, together with a copy of any listed foreign patent document and/or non-patent literature. A copy of any listed U.S. patent and/or U.S. patent application publication is not provided herewith in accordance with the amendment by the U.S. Patent and Trademark Office to 37 C.F.R. § 1.98(a)(2)(ii) effective October 21, 2004.

This Information Disclosure Statement is submitted in accordance with 37 C.F.R. § 1.97(b), within three months of the filing date of the above-referenced application or before the mailing of a first Office Action on the merits, whichever event occurs last. Therefore, no fee is believed due. However, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0220.

It is requested that these documents be considered by the Examiner and officially made of record in accordance with the provisions of 37 C.F.R. § 1.56 and Section 609 of the MPEP.

Respectfully submitted,

*Mary L. Miller*

Mary L. Miller

Registration No. 39,303

Myers Bigel Sibley & Sajovec, P.A.

P. O. Box 37428

Raleigh, North Carolina 27627

Telephone: (919) 854-1400

Facsimile: (919) 854-1401

Customer No. 20792

**CERTIFICATE OF MAILING UNDER 37 CFR § 1.10**

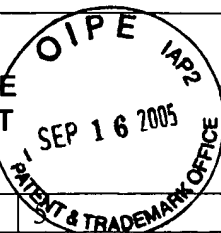
Express Mail Label No.: EV 675795456 US

Date of Deposit: September 16, 2005

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Sheena L. Donnelly

Substitute form 1449/APTO			<b>Complete if Known</b>		
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)			Application Number	10/748,789	
			Filing Date	December 30, 2003	
			First Named Inventor	Mark Conkling	
			Group Art Unit	1638	
			Examiner Name	Russell Kallis	
Sheet	1	of	5	Attorney Docket Number	5051.338CTDV



U.S. PATENTS AND PATENT PUBLICATIONS					
Examiner Initials*	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code (if known)		
	1.	4,751,348		Malmberg et al.	6/14/1988
	2.	4,943,674		Houck et al.	07/1990
	3.	4,962,028		Bedbrook et al.	10/1990
	4.	5,097,025		Benfey et al.	03/1992
	5.	5,157,115		Taniguchi	10/1992
	6.	5,177,308		Barton et al.	01/1993
	7.	5,179,022		Sanford et al.	01/1993
	8.	5,204,253		Sanford et al.	04/1993
	9.	5,229,292		Stock et al.	07/1993
	10.	5,371,015		Sanford et al.	12/1994
	11.	5,478,744		Sanford et al.	12/1995
	12.	5,580,722		Foulkes et al.	12/1996
	13.	5,665,543		Foulkes et al.	09/1997
	14.	5,683,985		Chu et al.	11/1997
	15.	5,716,780		Edwards et al.	02/1998
	16.	5,843,720		Tangney et al.	12/1/1998
	17.	5,846,720		Foulkes et al.	12/1998
	18.	5,863,733		Foulkes et al.	01/1999
	19.	5,976,793		Foulkes et al.	11/1999
	20.	6,060,310		Cho-Chung	5/9/2000
	21.	6,077,992		Yadav	6/20/2000
	22.	6,136,799		Foulkes et al.	10/2000
	23.	6,165,712		Foulkes et al.	12/2000
	24.	6,203,976		Foulkes et al.	03/2001
	25.	6,262,033		Morishita et al.	7/17/2001
	26.	6,423,520		Conkling et al.	7/23/2002
	27.	6,586,661		Conkling et al.	7/1/2003
	28.	6,907,887		Conkling	06/21/2005
	29.	6,911,541		Conkling	06/28/2005
	30.	2002/0108151		Conkling et al.	3/8/2002
	31.	2003/0018997		Conkling et al.	1/23/2003
	32.	2003/0140366		Conkling et al.	7/24/2003
	33.	2004/0031074		Conkling et al.	2/12/2004
	34.	2004/0103454		Conkling et al.	5/24/2004

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Office	Number	Kind Code (if known)		
	35.	CA	2,032,443			06/20/1991
	36.	CA	2,248,622			03/23/1999

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



Substitute form 1449A/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				Application Number	10/748,789
				Filing Date	December 30, 2003
				First Named Inventor	Mark Conkling
				Group Art Unit	1638
				Examiner Name	Russell Kallis
Sheet	3	of	5	Attorney Docket Number	5051.338CTDV

	(2000) (Abstract only)	
68.	Database EMBL Online! EBI; <i>A. thaliana</i> , clone TAP0198, March 5, 1996, Accession No. F20096, 2 pages.	
69.	GenBank accession no. U08931, <i>Nicotiana tabacum</i> cryptic seed coat-specific promoter (1994)	
70.	Ehsan et al. (2001) "Long-term stabilization of vein graft wall architecture and prolonged resistance to experimental atherosclerosis after E2F decoy oligonucleotide gene therapy" <i>J. Thorac. Cardiovasc. Surg.</i> 121(4):714-722.	
71.	European Search Report Application No. 04004191, mailed on June 22, 2004	
72.	European Search Report Application No. 04004192, mailed on July 2, 2004	
73.	Evans et al. "Distribution of Root mRNA Species in Other Vegetative Organs of Pea ( <i>Pisum sativum</i> L.)" <i>Mol. Gen. Genet.</i> 214:153-157 (1988)	
74.	Fobert et al., "T-DNA Tagging of a Seed Coat-Specific Cryptic Promoter in Tobacco" <i>Plant Journal</i> 6(4): 567-577 (1994)	
75.	Fuller et al. "Soybean Nodulin Genes: Analysis of cDNA Clones Reveals Several Major Tissue-Specific Sequences in Nitrogen-Fixing Root Nodules" <i>Proc. Natl. Acad. Sci. USA</i> 80:2594-2598 (1983)	
76.	Geffers et al. (2000) "Anaerobiosis-specific interaction of tobacco nuclear factors with <i>cis</i> -regulatory sequences in the maize <i>GapC4</i> promoter" <i>Plant Mol. Biol.</i> 43(1):11-21.	
77.	Genbank Accession no. AC021028. Homo sapiens chromosome 10 clone RP11-137H2, 44 pp. (2002)	
78.	Hashimoto et al. "Intraspecific Variability of the Tandem Repeats in <i>Nicotiana</i> Putrescine N-Methyltransferases," <i>Plant Molecular Biology</i> 37:25-37 (1998)	
79.	Hsu et al. "Phloem Mobility of Xenobiotics VI. A Phloem-Mobile Pro-Nematocide based on Oxamyl Exhibiting Root-Specific Activation in Transgenic Tobacco" <i>Pestic. Sci.</i> 44:9-19 (1995)	
80.	International Search Report for International Application Serial No. PCT/US01/26788, mailed 07/17/2002	
81.	International Search Report for International Application Serial No. PCT/US01/47371, mailed August 18, 2003	
82.	Johnson et al. (2001) "Regulation of DNA binding and <i>trans</i> -activation by a xenobiotic stress-activated plant transcription factor" <i>J. Biol. Chem.</i> 276(1):172-178.	
83.	Keller et al. "Specific Expression of a Novel Cell Wall Hydroxyproline-Rich Glycoprotein Gene in Lateral Root Initiation" <i>Genes &amp; Dev.</i> 3:1639-1646 (1989) (Abstract only)	
84.	Kitamoto et al. "Increased Activity of Nuclear Factor- $\kappa$ B Participates in Cardiovascular Remodeling Induced by Chronic Inhibition of Nitric Oxide Synthesis in Rats" <i>Circulation</i> 102:806-812 (2000).	
85.	Konopka (2000) "Rev-binding aptamer and CMV promoter act as decoys to inhibit HIV replication" <i>Gene</i> 255(2):235-244.	
86.	Kubota et al. "Cloning of a Nuclear-Encoded Photosystem 1 Gene, <i>psaEb</i> , in <i>Nicotiana sylvestris</i> " <i>Plant Physiol</i> 108:1297-1298 (1995)	
87.	Lee et al. "CRE-Transcription Factor Decoy Oligonucleotide Inhibition of MCF-7 Breast Cancer Cells: Cross-Talk with p53 Signaling Pathway" <i>Biochemistry</i> 39:4863-4868 (2000).	
88.	Lerner et al. "Cloning and Characterization of Root-Specific Barley Lectin" <i>Plant Physiology</i> 91:124-129 (1989)	
89.	Maniatis et al. "Regulation of Inducible and Tissue Specific Gene Expression" <i>Science</i> 237:1237-1244 (1987)	
90.	Mann et al. "Ex-vivo Gene Therapy of Human Vascular Bypass Grafts with E2F Decoy: The PREVENT Single-Centre, Randomised, Controlled Trial" <i>The Lancet</i> 354:1493-1498 (1999).	
91.	Mann et al. "Pressure-Mediated Oligonucleotide Transfection of Rat and Human Cardiovascular Tissues" <i>Proc. Natl. Acad. Sci. USA</i> 96:6411-6416 (1999).	
92.	Mischiati et al. "Interaction of the Human NF- $\kappa$ B p52 Transcription Factor with DNA-PNA Hybrids Mimicking the NF- $\kappa$ B Binding Sites of the Human Immunodeficiency Virus Type 1 Promoter" <i>The</i>	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Substitute form 1449A/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				Application Number	10/748,789
				Filing Date	December 30, 2003
				First Named Inventor	Mark Conkling
				Group Art Unit	1638
				Examiner Name	Russell Kallis
Sheet	4	of	5	Attorney Docket Number	5051.338CTDV

		<i>Journal of Biological Chemistry</i> 274(46):33114-33122 (1999).	
93.		Morishita et al. (1995) "A gene therapy strategy using a transcription factor decoy of the E2F binding site inhibits smooth muscle proliferation in vivo" <i>Proc. Natl. Acad. Sci. USA</i> 92(13):5855-5859.	
94.		Morishita et al. "Application of Transcription Factor "Decoy" Strategy as Means of Gene Therapy and Study of Gene Expression in Cardiovascular Disease" <i>Circ. Res</i> 82:1023-1028 (1998).	
95.		Morishita et al. "Role of AP-1 Complex in Angiotensin II-Mediated Transforming Growth Factor- $\beta$ Expression and Growth of Smooth Muscle Cells: Using Decoy Approach Against AP-1 Binding Site" <i>Biochemical and Biophysical Research Communications</i> 243:361-367 (1998).	
96.		Nastruzzi et al. "Liposomes as Carriers for DNA-PNA Hybrids" <i>Journal of Controlled Release</i> 68:237-249 (2000).	
97.		GenBank Accession No. D42070 Tobacco psaEb gene for PSI-E subunit of photosystem I (1995)	
98.		GenBank Accession No. X70902 N. tabacum T85 gene for auxin-binding protein (1998)	
99.		Park et al. "Dual Blockade of Cyclic AMP Response Element-(CRE) and AP-1-Directed Transcription by CRE-Transcription Factor Decoy Oligonucleotide" <i>The Journal of Biological Chemistry</i> 274(3):1573-1580 (January 15, 1999).	
100.		Piva et al. "Modulation of Estrogen Receptor Gene Transcription in Breast Cancer Cells by Liposome Delivered Decoy Molecules" <i>Journal of Steroid Biochemistry and Molecular Biology</i> 75:121-128 (2000).	
101.		Rafty et al. "Novel Negative Regulator Element in the Platelet-Derived Growth Factor B Chain Promoter That Mediates ERK-Dependent Transcriptional Repression" <i>The Journal of Biological Chemistry</i> 275(15):11478-11483 (April 14, 2000)	
102.		Reichers et al. "Structure and Expression of the Gene Family Encoding Putrescine N-methyltransferase in <i>Nicotiana tabacum</i> : New Clues to the Evolutionary Origin of Cultivated Tobacco" <i>Plant Molecular Biology</i> 41:387-401 (1999)	
103.		Sanford et al. "The Biologic Process" <i>Trends in Biotechnology</i> 6:299-302 (1988)	
104.		Sharma et al. (1996) "Transcription factor decoy approach to decipher the role of NF- $\kappa$ B in oncogenesis" <i>Anticancer Res.</i> 16(1):61-70.	
105.		Siebertz et al. (1989) "cis-Analysis of the wound-inducible promoter <i>wun1</i> in transgenic tobacco plants and histochemical localization of its expression" <i>Plant Cell</i> 1(10):961-968.	
106.		Singer et al. "Transcription: The Transfer of DNA Sequence Information to RNA" <i>Genes and Genomes</i> section 3.2: 134-145, University Science Books, Mill Valley, CA (1991)	
107.		Takata et al. "Novel Cis Element for Tissue-Specific Transcription of Rat Platelet-Derived Growth Factor $\beta$ -Receptor Gene" <i>Hypertension</i> 33(II):298-302 (1999).	
108.		Tomita et al. "Transcription Factor Decoy for NF B Inhibits Cytokine and Adhesion Molecule Expressions in Synovial Cells Derived from Rheumatoid Arthritis" <i>Rheumatology</i> 39:749-757 (2000).	
109.		Wadgaonkar et al. (1999) "CREB-binding protein is a nuclear integrator of nuclear factor- $\kappa$ B and p53 signaling" <i>J. Biol. Chem.</i> 274(4):1879-1882	
110.		Wang et al. (1992) "Characterization of cis-acting elements regulating transcription from the promoter of a constitutively active rice actin gene" <i>Mol. Cell Biol.</i> 12(8):3399-3406.	
111.		Wang et al. "Targeted Disruption of Stat6 DNA Binding Activity by an Oligonucleotide Decoy Blocks IL-4-Driven T <sub>H</sub> 2 Cell Response" <i>Blood</i> 95(4):1249-1257 (February 15, 2000).	
112.		Watanabe et al. "Cloning and Expression of Two Genes Encoding Auxin-Binding Proteins From Tobacco" <i>Plant Molecular Biology</i> 36:63-74 (1998).	
113.		Wu et al. "Inhibition of In Vitro Transcription by Specific Double-Stranded Oligodeoxyribonucleotides" <i>Gene</i> 89:203-209 (1990).	
114.		Yamamoto "A Tobacco Root-Specific Gene; Characterization and Regulation of its Expression" <i>J. Cell Biochem.</i> 13(D) (Suppl.) (1989) (Abstract)	
115.		Yamamoto "A Tobacco Root-Specific Gene; Characterization and Regulation of its Transcription"	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Substitute form 1449A/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				Application Number	10/748,789
				Filing Date	December 30, 2003
				First Named Inventor	Mark Conkling
				Group Art Unit	1638
				Examiner Name	Russell Kallis
Sheet	5	of	5	Attorney Docket Number	5051.338CTDV

		Ph.D. Thesis submitted to the Graduate Faculty of North Carolina State University. Genetics Department (1989)	
	116.	Yamamoto et al. "Root-Specific Genes from Tobacco and <i>Arabidopsis</i> homologous to an Evolutionary Conserved Gene Family of Membrane Channel Proteins" <i>Nucleic Acids Research</i> 18:7449 (1990)	
	117.	Yamamoto et al. (1991) Characterization of <i>cis</i> -acting sequences regulating root-specific gene expression in tobacco. <i>Plant Cell</i> 3(4):371-382.	
	118.	Yia-Herttuala et al. "Cardiovascular Gene Therapy" <i>The Lancet</i> 355:213-222 (January 15, 2000).	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.